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EP 3-10-14

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MEMORANDUM

To Tribal Council Date: May 11, 1983  
From Ron Solimon *RS*  
Subject Anaconda Reclamation Plan Negotiating Meeting on 4/28/83

Anaconda Minerals Company (AMC) was represented by Bill Norem, Meade Stirland, Jerry Fleming, and Colin Howard. The parent Company, ARCO, was represented by Jerry Bathke. The Pueblo was represented by Governor Edwin Martinez, Council Member/NRC Member-Tim Analla, Council Member/NRC Member-Vincenti Pedro, Council Member/NRC Member-Phil Gaco, and Ron Solimon. The Laguna Agency was represented by Dan Carr.

The agenda for the meeting was limited to discussion on the railroad spur, buildings & equipment, Paguate housing, Mesita Reservoir, and the Disposition of the Protore Stockpiles. It was decided that the other issues would be handled at a subsequent meeting with AMC. This would give CERT and the NRC a chance to review the most recent studies the Pueblo had received from AMC.

Here is a summary of the discussion:

- Governor Martinez opened the meeting and outlined the agenda items.
- Mr. Norem that the positions of the Pueblo and Anaconda needed to be explained and clarified to one another. He suggested that if an impasse was reached on any one issue, then it should be set-aside for the time-being and settled later.
- Mr. Norem pointed-out that AMC was prepared to negotiate in the context of a final agreement on the reclamation plan as a whole.
- Railroad Spur - AMC agreed to transfer ownership and clean-up the 2 "hot-spots" identified by BLM provided that no removal or reconstruction would be required. The final agreement stipulation would also apply here.
- Buildings & Equipment - AMC indicated that it had contracted with an auctioneering company for the sale of certain equipment. They indicated that:



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- the ERMCO loaders are committed to the sale
- the stuls have been sold and removed
- other equipment is still there
- the equipment possibly referred to by Governor Early has been set-aside
- the office furniture is gone

We asked for the list of equipment stated to be sold and AMC agreed to give us said list. Note that the auction will take place on June 6th & 7th at the mill and at the mine. We asked if we could set-up a meeting with a Company representative in order to inventory the remaining equipment and buildings at the mine. Note that we met with Jerry Fleming on May 4th and the attached letter was subsequently transmitted to the Company.

Concerning the buildings, the Company acknowledged that the terms of lease 4 would be recognized. However, if a building was contaminated beyond clean-up, then that building would have to be demolished. The Company pointed-out that the terms of lease 4 do not include the training center or geology building.

The Company reiterated their position on the housing, i.e., that it could not be left. Recall that the BLM is adamant against the use of the housing for reservation residents. Anaconda stated that there was no contamination problem with said structures. Note that the fear in using these houses is the access that people would have to the mine/reclamation site. They agreed to allow us to dismantle and salvage the building materials.

The trailers would fall in the same category of the training center and the geology building. The Company indicated that they (trailers) were still on the table for negotiation, i.e., the Co. would give them to us contingent upon a final agreement on the reclamation plan as a whole.

- Paguate Housing - The Company indicated that it wanted to keep this within the context of the reclamation plan. Compare this position with

their past position on this same issue. We informed the Co. that we're not ready to discuss specific members at this time, but that we had conducted a survey and an appraisal would be forthcoming. The Co. found it difficult to make a positive statement on this issue. They stressed the importance of this issue to the Village of Paguate. Moreover, we emphasized the seeming admission of guilt on the part of the Co. by virtue of past repairs. This issue will be taken-up again at our next meeting.

- Mesita Reservoir - We got a definite "No" on this issue. The Co. put this issue in the same category as the Paguate Housing issue. We were asking for a well on behalf of the Village of Mesita.
- Protore Stockpiles - We asked if there was any interest on the part of the Co. in purchasing and processing the protore. The Co. responded in the negative after pointing-out the disadvantages from their standpoint. However, they suggested that the Pueblo explore this possibility since the tax advantages and freedom from royalty payments presented a different economic situation. They cautioned that the tailings created from a heap-leaching operation owned and operated by the Pueblo may translate into additional reclamation costs for the Company. They also cautioned that an additional licensing process with another EIS might be required, i.e., they would be unhappy if a proposal to heap-back transferred the cost over to reclamation.

Our next meeting is scheduled for May 18th, but this is subject to change in order to give our technical consultants an opportunity to review the most recent studies furnished to the Pueblo.

RS:lv